

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

ANGELA PULLIAM,

Plaintiff,

V.

UNITED AIRLINES, INC., a Delaware Corporation,

Defendant.

Case No. 2:10-cv-01406-MMD-GWF

## ORDER

(Motion to File Under Seal, dkt. no. 24)

Before the Court is Defendant United Airlines, Inc.’s (“United”) **Motion to File Documents Under Seal** (dkt. no. 24). Plaintiff Angela Pulliam did not file an opposition.

This is an employment dispute wherein Plaintiff alleges United discriminated against her on the basis of race when United terminated her for leaving work early and acting inappropriately towards two United customers. To support these allegations, Plaintiff must show that United treated her differently than similarly situated employees outside of her protected class. *Vasquez v. City of Los Angeles*, 349 F.3d 634, 640 (9th Cir. 2003). United has now filed a motion for summary judgment (dkt. no. 25), and seeks leave to file an exhibit under seal in support of that motion. Specifically, Exhibit 30 to United's motion for summary judgment consists of personnel information regarding the disciplinary records of two former employees outside of Plaintiff's protected class.

1        In the Ninth Circuit there is “a strong presumption in favor of access to court  
2 records.” *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 984, 993 (9th Cir. 2008). To  
3 overcome this presumption, a party must articulate “compelling reasons” justifying  
4 nondisclosure, such as use of the record to gratify spite, permit public scandal, circulate  
5 libelous statements, or release trade secrets. *Kamakana v. City of Honolulu*, 447 F.3d  
6 1172, 1179 (9<sup>th</sup> Cir. 2006). “The mere fact that the production of records may lead to a  
7 litigant’s embarrassment, incrimination, or exposure to further litigation will not, without  
8 more, compel the court to seal its records. *Id.*

9        United raises compelling reasons justifying the filing under seal of Exhibit 30 to its  
10 motion for summary judgment. The exhibit contains disciplinary information regarding  
11 non-parties to this litigation. The public has no significant need to access this  
12 information and its dissemination could result in unnecessary economic or emotional  
13 harm to the non-parties. Accordingly, the Court grants United’s motion.

14        ENTERED THIS 6th day July of 2012.



15  
16  
17        UNITED STATES DISTRICT JUDGE  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28